

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for July 7, 2004 PLANNING COMMISSION MEETING**

**P.A.S.:** Special Permit #1886A

**PROPOSAL:** Approve an amendment to an existing special permit for a club to add a new gymnasium/club facility and expand existing office/meeting space.

**LOCATION:** 64<sup>th</sup> Street and Pine Lake Road

**WAIVER REQUEST:**

1. Waive hydrologic modeling for compensatory storage.

**LAND AREA:** 9.973 acres, more or less.

**CONCLUSION:** This expansion of an existing special permit for a club generally conforms to the Comprehensive Plan and Zoning Ordinance. Due to the small size of the proposed improvements, the hydrologic model would not be useful to provide accurate information.

<b><u>RECOMMENDATION:</u></b>	Conditional Approval
Waive hydrologic modeling for compensatory storage	Conditional Approval

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:**

Lot 52 I.T., located in the NE 1/4 of Section 21 T9N R7E, Lancaster County, Nebraska.

**EXISTING ZONING:** AGR Agricultural Residential

**EXISTING LAND USE:** Private Club

**SURROUNDING LAND USE AND ZONING:**

North:	Acreage residences	AGR Agricultural Residential
South:	Agricultural	AGR Agricultural Residential
East:	Acreage residences	AGR Agricultural Residential
West:	Acreage residences, Railroad	AG Agricultural

**ASSOCIATED APPLICATIONS:** Annexation #04009

**HISTORY:**

- Apr 2003 Administrative Amendment #03016 revised the parking lot layout.
- Sep 2001 Administrative Amendment #01062 revised parking access and parking stalls, and added a ground sign.
- Dec 2000 Special Permit #1886 approved a 4,200 square foot club plus 1,100 square feet of meeting space in an accessory building.
- May 1979 The zoning update changed this property was changed from A-A Rural and Public Use to AGR Agricultural Residential in the 1979 Zoning Update.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The Land Use Plan shows this area as Green Space. (F 25)

**Green Space:** Areas predominately used for active recreational uses, such as parks, golf courses, soccer or ball fields, and trails. Green space areas may be either public or privately owned. While some isolated environmentally sensitive features may be within these areas, they are predominately for active recreation, with some passive recreation uses also possible. (F 22)

**UTILITIES:** This property does not receive city services at this time. There is an on-site well and septic system. However, as part of associated Annexation #04009, this proposal will be annexed into the city and will be able to obtain city sewer and water along the Pine Lake Road frontage only.

**ENVIRONMENTAL CONCERNS:** The entire site is generally located within the 100 year floodplain and will be subject to the recently approved flood plain standards. This project is located within the Country Meadows Wellhead Protection Area.

**TRAFFIC ANALYSIS:** The Comprehensive Plan shows Pine Lake Road as a Minor Arterial both now and in the future. (E 49, F 103) Pine Lake Road is identified as a “committed” project for improvement to 4 lanes plus turn lane between 40<sup>th</sup> Street and Nebraska Highway 2. (F 109) The plan shows the dedication of additional right-of-way to comply with the 120 foot standard. Applicant has indicated a left turn only lane will be requested to allow entrance to the property fro west-bound traffic.

**ANALYSIS:**

1. This is a proposal to amend an existing special permit for a club to add a new 6,000 square foot gymnasium/club facility and a 1,000 square foot expansion to the existing office/meeting space for a total of 4,200 square feet. The proposed 1,000 square foot expansion will replace the existing pool.

2. A special permit for a club may be issued pursuant to LMC §27.63.200. The permit conditions include:

- (a) **The application shall include the following information: type of activity, expected peak use and building capacity, anticipated time of peak activity, and expansion of facilities.**

As part of Special Permit#1886, Applicant stated they will use the property for student meetings 1-2 times per week with an attendance of 15 to 50 students per meeting. Applicant states this information is still correct. However, Applicant must also provide information regarding the use of the new gymnasium facility.

- (b) **Clubs with an off-street parking demand of twenty spaces or more as determined by the city shall be located on major streets. Clubs with an off-street parking demand of less than twenty spaces as determined by the city may be located on any street.**

The site plan shows 52 parking stalls, and Pine Lake Road is identified as a Minor Arterial.

- (c) **Parking requirements shall as a minimum be in conformance with the provisions of Chapter 27.67. Additional parking regulations, parking ingress and egress, location control, and buffering may be imposed. No parking shall be permitted in any required yard. The application shall include applicant's estimate of the parking needs of the proposed club.**

The applicant has not indicated an anticipated parking demand. The 56 parking stalls shown represent an increase of 26 stalls over the currently approved plan.

- (d) **Height and area requirements shall as a minimum be in conformance with requirements of the district in which the use is located; additional requirements may be imposed. In the R-4, R-5,O-1, and O-3 districts, the buildings shall not cover over thirty-five percent of the total area of the lot. In the AG, AGR, R-1, R-2, and R-3 districts, the buildings shall not cover over fifteen percent of the total area of the lot; provided, however, the Planning Commission may adjust the percent of lot coverage to permit a club in an existing building. Except where abutting a nonresidential district, buildings shall be set back from all yard lines a distance of not less than one foot for each one foot of building height; provided, however, the Planning Commission may adjust this requirement for existing buildings. Visual screening shall be required in any yard that abuts a residential district.**

There is an existing accessory building located within a side yard setback, which was approved to remain as part of Special Permit #1886. Proposed buildings on the site will cover approximately 10,000 square feet, or approximately 2.0% of the lot area.

3. There is a proposed borrow site shown on the drawings, for which a grading plan must be submitted.

4. The portion of this site that can be sewerred is the area along Pine Lake Road only. Most if not all of this site was not intended to be served until the Beal Slough trunk sewer improvements are completed. However, the Public Works Department approves serving this single use plus the expansion only. Future development of this site other than the existing structure and expansion will not be allowed prior to the completion of the Beal Slough improvements.
5. The existing well located at the east end of the site along Pine Lake Road appears to be in the proposed right-of-way dedication. The well will need to be properly abandoned through the Health Department.
6. This site is located along a segment of Pine Lake Road scheduled for improvement. This requires the dedication of additional right-of-way equaling 60 feet from the centerline. The proposed plans show the dedication of the necessary additional right-of-way. Applicant's notice they will request a left turn only lane in the future should be discussed with the Public Works Department. The future left turn only lane shown on the proposed plans must be removed.
7. No net rise must be demonstrated using the Beal Slough master plan hydraulics model. It must be shown the proposed construction will not increase the 2, 10, and 100-year flood events more than 0.05 foot.
8. Applicant has requested to waive hydrology modeling for compensatory storage. The Public Works Department supports this waiver provided the standards for compensatory storage without hydrology are met. These standards are:
  - a) Compensatory storage must be provided at a ratio of 1 to 1 or greater for fill that is proposed in the floodplain or floodprone area outside of a minimum flood corridor.
  - b) Flood storage lost below the existing 10-year flood elevation must be compensated for below the proposed 10-year flood elevation. Flood storage lost above the existing 10-year flood elevation must be compensated for above the proposed 10-year flood elevation.
  - c) Compensatory storage areas shall be graded to freely drain back to the stream.
  - d) Compensatory storage shall be opposite or adjacent to areas filled, occupied, or otherwise encroached upon.
  - e) The entire compensatory storage area shall be preserved through the dedication of an easement.

9. The new minimum flood corridor requirements will apply to the proposed borrow area. Areas graded should not impact existing riparian vegetation inside the minimum flood corridor. Areas which do not have riparian vegetation inside the minimum flood corridor and are graded for compensatory storage should be replanted with vegetation compatible with the minimum flood corridor and water quality benefits.
10. Conservation easements are required and must be shown on the plan for the minimum flood corridor along Beal Slough to preserve flood storage and riparian vegetation.
11. The Public Works Department notes the Beal Slough Watershed Master Plan indicates a dike being constructed on the north side of Beal Slough at this location. However, at this time, it is uncertain whether this project will be constructed. The watershed master plan is a concept plan which did not include an analysis of the feasibility of this project. This project is not listed in the Watershed Management CIP.
12. The Parks and Recreation Department will require a 20 foot wide trail easement along the west side of the property, adjacent to the railroad right-of-way.
13. Since this project is located within the Country Meadows Wellhead Protection Area, best management practices (BMP) should be utilized to decrease the risk of groundwater contamination.
14. The proposed plans appear to have omitted some of the general notes required by the previous permit. These notes must be added.

**CONDITIONS:**

Site Specific:

1. This approval permits a club with 4,200 square feet of office/meeting area, and 6,000 square feet of gymnasium/office area. The requirement for hydrologic modeling for compensatory storage is waived provided the following conditions are met.

General:

2. Before receiving building permits:
  - 2.1 The permittee shall complete the following instructions and submit 5 copies of the documents and plans to the Planning Department office for review and approval.
    - 2.1.1 Provide information demonstrating the proposal adequately addresses the type of activity, expected peak use and building capacity, and anticipated time of peak activity for this site.

- 2.1.2 Provide an estimate of parking needs for the facility.
- 2.1.3 Add a note stating "Future development of this site other than the existing structures and future addition as shown will not be allowed prior to the completion of the Beal Slough trunk sewer improvements."
- 2.1.4 Provide a grading plan for the proposed borrow site.
- 2.1.5 Demonstrate the proposed construction will not increase the 2, 10, or 100-year flood events more than 0.05 foot.
- 2.1.6 Show compensatory storage is provided at a ratio of 1 to 1 or greater for fill that is proposed in the floodplain or floodprone area outside of a minimum flood corridor.
- 2.1.7 Show flood storage lost below the existing 10-year flood elevation is compensated for below the proposed 10-year flood elevation, and flood storage lost above the existing 10-year flood elevation is compensated for above the proposed 10-year flood elevation.
- 2.1.8 Show compensatory storage areas shall be graded to freely drain back to the stream.
- 2.1.9 Show compensatory storage are opposite or adjacent to areas filled, occupied, or otherwise encroached upon.
- 2.1.10 Show the new minimum flood corridor requirements applied to the proposed borrow area. Areas graded should not impact existing riparian vegetation inside the minimum flood corridor. Areas which do not have riparian vegetation inside the minimum flood corridor and are graded for compensatory storage should be replanted with vegetation compatible with the minimum flood corridor and water quality benefits.
- 2.1.11 Show the location of conservation easements.
- 2.1.12 Show a 20 foot wide trail easement along the west side of the property, adjacent to the railroad right-of-way.
- 2.1.13 Add a note stating "Best management practices (BMP) will be used to minimize the risk of groundwater contamination."

- 2.1.14 Add a note stating "Parking shall not be permitted outside of the paved parking area."
- 2.1.15 Add a note stating "The existing single-family dwelling shall be a club meeting area/office and shall not remain as a dwelling."
- 2.1.16 Add a note stating "Any enlargement of existing buildings must meet all the floodplain regulations as required by the zoning ordinance."
- 2.1.17 Remove the future left turn only lane from Pine Lake Road.
- 2.2 The well must be abandoned to the satisfaction of the Health Department.
- 2.3 Provide conservation easements for the minimum flood corridor along Beal Slough and the entire compensatory storage area to preserve flood storage and riparian vegetation.
- 2.4 The construction plans comply with the approved plans.
- 2.5 The required easements as shown on the site plan are recorded with the Register of Deeds.
- 2.6 Dedicate the required additional public right-of-way.

STANDARD CONDITIONS:

- 3. The following conditions are applicable to all requests:
  - 3.1 Before occupying this club, all development and construction is to comply with the approved plans.
  - 3.2 Before occupying this club, the Health Department must approve the water and waste water systems.
  - 3.3 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner.
  - 3.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
  - 3.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 3.6 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
  
4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

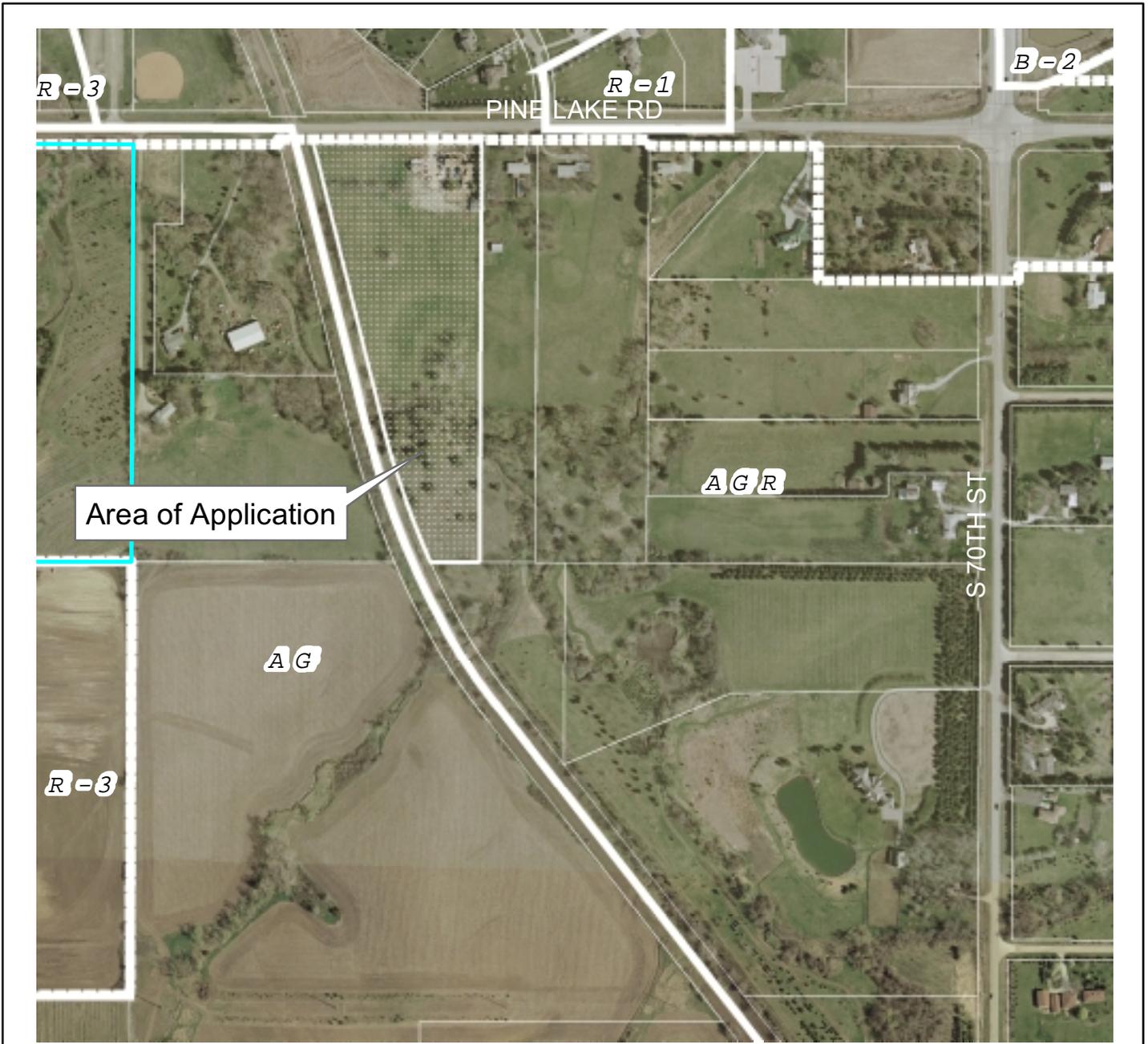
Prepared by

Greg Czaplewski, 441.7620, gczaplewski@ci.lincoln.ne.us

**Date:** June 25, 2004

**Applicant  
and  
Owner:** Southeast Nebraska Youth for Christ, Inc.  
6401 Pine Lake Road  
Lincoln, NE 68516  
420.7475

**Contact:** Brian D. Carstens and Associates  
Brian Carstens  
601 Old Cheney Road, Suite C  
Lincoln, NE 68512  
434.2424



**Special Permit #1886A  
Annexation #04009  
S. 64th & Pine Lake Rd.**

2002 aerial

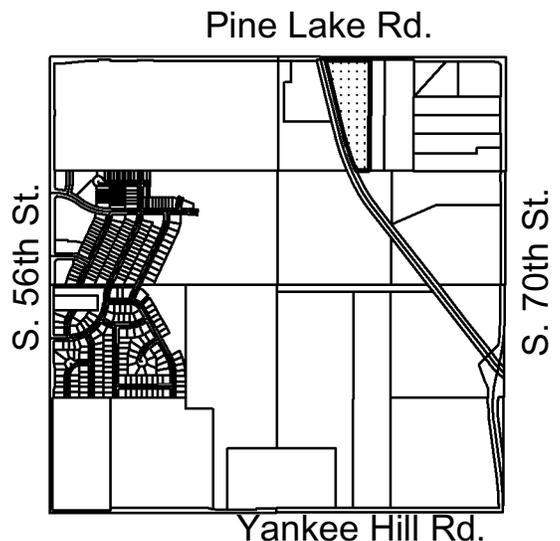
**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
Sec. 21 T09N R7E



Zoning Jurisdiction Lines  
City Limit Jurisdiction





LOT 59 LT.

LOT 54 LT.

174.37'

787.45' N. 78.74° E.

8.12' N. 78.74° E.

35.47' N. 78.74° E.

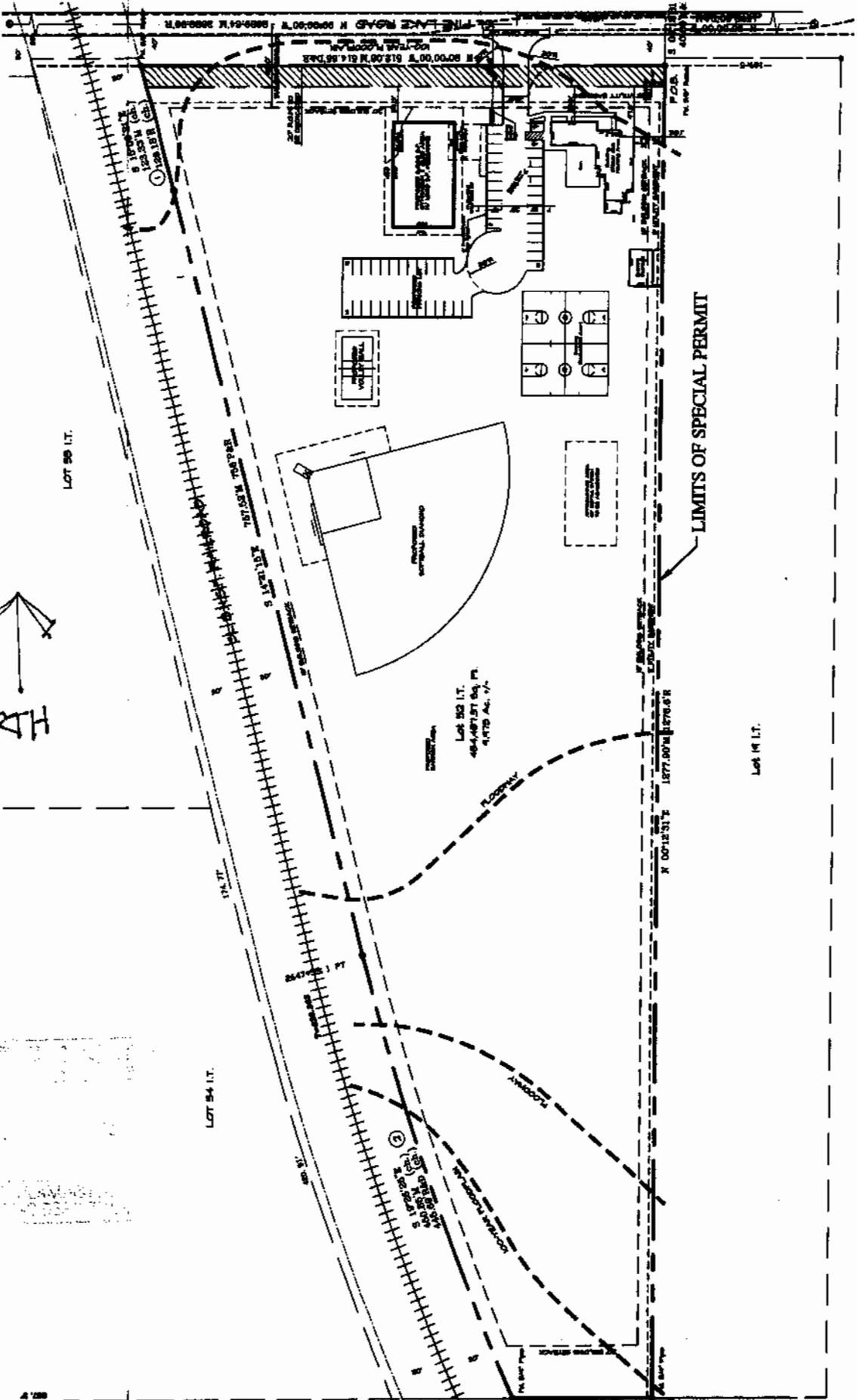
40.31'

LOT 53 LT.  
484,487.57 SQ. FT.  
4,170 AC. ±

N. 00°15'31" E. 1877.00' ± 178.65'

LOT 14 LT.

LIMITS OF SPECIAL PERMIT





**BRIAN D. CARSTENS AND ASSOCIATES**  
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN  
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

May 12, 2004

Mr. Marvin Krout  
Director of Planning  
City of Lincoln/ Lancaster County  
555 South 10th Street  
Lincoln, NE 68508

RE: CAMPUS LIFE - SPECIAL PERMIT #1886A  
6401 PINE LAKE ROAD

Dear Marvin,

On behalf of Campus Life / Southeast Nebraska Youth for Christ, we are submitting the following Special Permit #1886A. At this time, we are also requesting the annexation of the special permit area.

This revised special permit will add 6,000 square foot gymnasium/club area with a 1,000 square foot mezzanine. A 1,000 square feet future addition of office and club meeting space to the existing building is also requested, making a total of 4,200 square feet. The proposed building will have a finished floor elevation of 1278.0 (NAVD88), which is one foot above the 100 year flood plain elevation (1276.8). A barrow area has been designated on the grading plan, which will be used to raise the building pad as shown. The permit also includes the expansion of the parking lot to provide for the additional square footage of building area.

The plan also shows the future pavement layout for Pine Lake Road. In the future, a left turn only lane will be requested to allow entrance into the club for the west bound traffic.

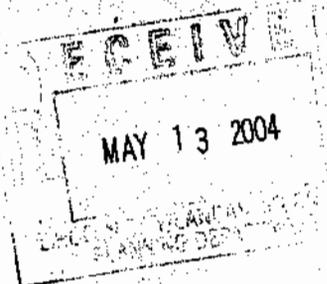
Please contact me if you have any further questions.

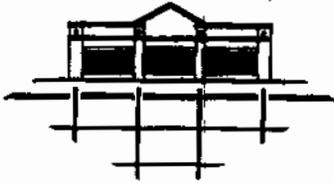
Sincerely,

Brian D. Carstens

cc: Tim Bohlke- Campus Life  
Don Bowman

ENCLOSURES: 20 Copies of Sheet 1 of 3  
8 Copies of Sheets 2 & 3 of 3  
Special Permit Application  
Application fee of \$740.00  
Ownership Certificate  
Legal Description  
8 1/2 x 11 Reduction





**BRIAN D. CARSTENS AND ASSOCIATES**  
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN  
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

June 7, 2004

Mr. Greg Czaplewski  
Planning Department  
City of Lincoln/ Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: CAMPUS LIFE- SPECIAL PERMIT/ ANNEXATION

Dear Greg,

After receiving your fax this morning, it appears that I need to request a waiver to be included with the legal notice.

As per the comments from Watershed Management, we hereby request the following waiver;

“Hydrologic modeling of the compensatory storage”. Due to the small size of the tract (less than 1 acre) the hydrologic model will not be useful to provide accurate information.

We agree with the requirements in 2 (a thru e) as called for in the memo from Devin Biesecker dated 6/7/04.

Please feel free to contact me if you have any additional questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Brian D. Carstens'.

Brian D. Carstens